

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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RHONDA RAMSEY,

Plaintiff,

v.

ELIZABETH MERCER, *et al.*,

Defendants.

Case No. 2:23-cv-01165-MMD-EJY

ORDER

Pro se Plaintiff Rhonda Ramsey submitted a complaint for violation of her civil rights under 42 U.S.C. § 1983. (ECF No. 1-1.) Before the Court is the Report and Recommendation (“R&R”) of United States Magistrate Judge Elayna J. Youchah recommending that the Court dismiss this case without prejudice because Plaintiff failed to timely comply with the Court’s order to pay the filing fee or file a complete application to proceed *in forma pauperis* (“IFP Application”), though Judge Youchah previously ordered her to do so. (ECF No. 4.) Objections to the R&R were due October 17, 2023. (See *id.*) To date, Ramsey has not objected to the R&R. The Court thus adopts the R&R in full and will dismiss this case without prejudice.

Because there was no objection, the Court need not conduct *de novo* review, and is satisfied that Judge Youchah did not clearly err. See *United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis in original). In the R&R, Judge Youchah recommends dismissal without prejudice after explaining that Ramsey was ordered to either pay the filing fee or file a complete IFP application by August 28, 2023 (ECF No. 3) but failed to do so. (ECF No. 4.) Dismissal without prejudice for noncompliance with the Court’s order is thus appropriate.

1 It is therefore ordered that Judge Youchah's Report and Recommendation (ECF
2 No. 4) is accepted and adopted in full.

3 It is further ordered that this case is dismissed, in its entirety, without prejudice.

4 The Clerk of Court is directed to enter judgment accordingly and close this case.

5 DATED THIS 25th Day of October 2023.

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MIRANDA M. DU
CHIEF UNITED STATES DISTRICT JUDGE